



**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3024527
Applicant Name: Tim Carter
Address of Proposal: 949 N 80th St

SUMMARY OF PROPOSAL

Land Use Application to allow a 4-story apartment building containing 24 small efficiency dwelling units. Parking for 6 vehicles to be provided at grade.

The following approvals are required:

Administrative Design Review with Departures (Seattle Municipal Code 23.41)*

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

** Departures are listed near the end of the Design Review Analysis in this document*

SEPA DETERMINATION

Determination of Non-Significance (DNS)

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts

BACKGROUND

The site was previously owned by Seattle City Light and was used for an electrical substation until 1990. Seattle City Light’s Environmental Affairs group conducted several environmental health investigations. The site was remediated in May 2013, with the Department of Ecology issuing a No Further Action Determination in September 2015. The site is currently vacant.



SITE AND VICINITY

Site Description: The rectangular site is located on the south side of N 80th Street, west of Aurora Ave N/State Route 99, with alley frontage along the south property line. The site is currently vacant. The existing topography is characterized as sloping downward from the northwest to the southeast corner of the site by approximately 6.5-feet.

Site Zone: Neighborhood Commercial 3 Pedestrian-40 (NC3P-40)

Zoning Pattern: (North) Single Family 5000 (SF 5000) and Commercial 1-40 (C1-40)
(South) SF 5000 and NC3P-40
(East) NC3P-40
(West) SF 5000

Environmental Critical Areas (ECAs): There are no known ECAs onsite.

PUBLIC COMMENT

The Notice of Application public comment period ended on December 11, 2016, however, SDCI continued to receive additional comments outside the formal public comment period. In addition to the comments received through the Administrative Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment, summarized below, are considered within the annotated SEPA Checklist, SEPA Analysis section of this Decision, or are otherwise addressed in documentation that is included in this MUP file. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05; those comments are not analyzed within this Decision.

- Concerned about potential environmental contaminants resulting from historical use of the property as a Seattle City Light electrical substation.
- Concerned about increased vehicular traffic in alley and impacts on pedestrian safety and use of the alley.
- Concerned about vehicular/pedestrian conflicts at the east end of the alley at the sidewalk intersection due to a “blind crossing”. Would to see a traffic calming and management solutions, such as alley speed bumps, mirrors, audible/visual warnings, etc.
- Concerned about disruption of traffic due to use of alley by moving, drop off/pick up, delivery, service, and construction-related vehicles, as well as the impacts of these vehicles on the physical condition of the alley surface.
- Concerned that pedestrian infrastructure at the intersection of N 80th St and Aurora are in disrepair and hazardous. Since the project is allowed to reduce parking thereby increasing pedestrian activity between the site and bus stops – would like to see pedestrian crossing and curb ramp improvements at the intersection to increase pedestrian safety and accessibility.
- Concerned about the lack of parking provided and increased on-street parking impacts; questioned Frequent Transit calculations.
- Concerned about lateral earth forces exerted on adjacent properties and development.

I. ANALYSIS – ADMINISTRATIVE DESIGN REVIEW

CURRENT AND SURROUNDING DEVELOPMENT: NEIGHBORHOOD CHARACTER

There is no existing development on this site. Immediately adjacent to the project site on the western border is a single-family residence, and to the east is a commercial property (Andy's Auto Repair). Single family residences and an apartment (triplex) exist north across North 80th Street from the project site. Development south and across the alley abutting the site consists of single family residences and an apartment building.

This rectangular-shaped mid-block site is situated on the south side of North 80th Street. The immediate blocks in the zone are a mix of multi-family apartment buildings, small businesses, and single-family homes. There is a variety of commercial buildings along Aurora Avenue North, which includes several restaurants, gas stations, various small businesses, and a grocery store within walking distance. The King County Metro E Line RapidRide which has a southbound transit stop near the intersection of North 80th Street and Aurora Avenue North, also runs along Aurora Avenue North, providing quick link between the neighborhood and downtown Seattle.

The Early Design Guidance and Recommendation packets include materials reviewed at the meetings, and are available online by entering the project number (3024527) at this website: http://www.seattle.gov/SDCI/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packets are also available to view in the file, by contacting the Public Resource Center at SDCI:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

EARLY DESIGN GUIDANCE – October 31, 2016

PUBLIC COMMENT

SDCI received public comments concerning this project during this Early Design Guidance Review phase. The following comments, issues and concerns were raised:

- Encouraged a design that will be compatible with the existing neighborhood context of low-scaled residential development with gabled roof forms and residential siding.
- Concerned that the proposed massing would cast continuous shadows onto the residential structures west of the project site.
- Voiced concern that the proposed parking quantity on the site is not enough to support the quantity of residents that would reside in the building.
- Encouraged a design that would be set back far from the sidewalk edge.

- Stated that townhouses would be a better fit for the neighborhood.
- Requested that the future design include:
 - Pedestrian-oriented commercial uses (live-work and retail) or public amenity space facing North 80th Street.
 - Massing that acknowledges the scale and form of surrounding buildings.
 - Unit designs that allow passive ventilation, passive solar heating, rooftop/balcony gardens.
 - Elements that mitigate privacy concerns for adjacent homes.
 - Relocating utilities underground to improve views and streetscape for all residents.
- Stated that the proposal is out of scale with the neighborhood.
- Supported a design that required vehicular access via the alley.
- Supported a design that required vehicular access to onsite parking from the street.
- Requested that all building mass be pushed closer to the street edge and set back from the alley.

PRIORITIES & STAFF RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and reviewing public comment, SDCI Staff provided the following siting and design guidance.

1. **Design Concept, Architectural Composition and Massing:** The design and siting of the new residential development should provide an appropriate transition to the less intensive zone, fit well on the site itself, and be compatible with existing architectural context and character. (CS2.C.2, CS2.D, CS2.II GREENLAKE, CS3.I.vi GREENLAKE)
 - a. SDCI staff reviewed the three requested design massing schemes-Options #1, #2 and #3 (applicant preferred scheme).

In reviewing the three schemes, SDCI did not support Option #3 as an optimal scheme because it illustrated massing sited the closest to the less-intensive zoned property west of the subject site and was considered the least sensitive to the neighboring single family residences to the west.

SDCI staff discussed the merits of Options #1 and #2 and considered public comments concerning the siting of the future development at the subject site. SDCI staff recognized that the commercially-zoned project site is adjacent to single family-zoned property and stated that the proposed residential structure should be sited and designed to provide a sensitive transition to the existing residential structure west and south of the subject site. Ultimately, SDCI staff stated that a “hybrid” massing which included the upper massing illustrated for Option #1 and the lower-level massing shown for Option #2 was the best response to the design guidelines. SDCI recommended that the project should move forward to the Master Use Permit (MUP) submittal for the following reasons:

- The applicant’s elevations and shadow studies demonstrated that the Option #2 design shifts the entire upper level massing the farthest away from the less intensive zoned properties west of the project site; and minimize shading onto the development west of the project site. (CS1.B, CS2.C, CS2.D)

- The Option #1 lower massing design optimizes the arrangement of ground-level spaces by shifting the support areas away from the street front and allowing for a more prominent residential lobby.
- b. It is imperative that the MUP plans clearly document the proximity of the proposed apartment building's west/east-facing facades to the west/east property lines and detail how the proposed massing option will achieve this guidance appropriately. Window studies and shadow studies should also be offered to demonstrate that solar impacts to the neighboring residential structures will be minimized. (CS2.C, CS2.D)
- c. It is important that building exteriors be constructed of durable, high quality, attractive and maintainable materials that will age well in Seattle's climate. Exterior material detailing (panel layouts) in enlarged elevations will be important because of its dominance applied to most of the building's facades. A color and material palette should be identified on the future MUP drawings that is in keeping with SDCI's guidance and neighborhood-specific guidance. (DC4.A, DC4.I GREENLAKE)

2. North 80th Street Frontage:

- a. The building design should engage the North 80th Street streetscape in a meaningful way to create a safe and positive pedestrian environment for future development to emulate. SDCI expects to review an ensemble of elements (doors, weather protection, canopies, hardscape, landscaping, glazing, etc.) that encourage interest at the street-level and clarify building entries/edges. Conceptual lighting and signage designs proposed for the building's street facing and surrounding façades should also be offered during the MUP phase of design development. (PL2.B, PL2.C, PL3.B, PL3.I.ii GREENLAKE, DC2.C, DC4.B, DC4.C, DC4.D, DC4.I GREENLAKE)

3. Residential Open Space and Landscaping:

- a. SDCI staff stated that the design of the upper-level roof deck exterior amenity area should be respectful to neighboring residentially-zoned properties. SDCI expects the applicant to explain and demonstrate how the siting of the roof deck will be responsive to those adjacency pressures (noise, privacy, outdoor activities, etc.). Moving the roof deck further away from the building's west edge and relocating the exterior amenity area closer to the north and the east away from the single family zoned properties was offered as a possible method to address this guidance. (CS2.D.5, DC3.C)
- b. The SDCI staff review of the proposed project identified ground-level landscaping along the west property line edge, north street edge and east property line. SDCI staff stated that the design of the landscaping and screening along the site's west and east property lines should reinforce the overall architectural concept but not create areas conducive to unwanted activity. SDCI expects to review details pertaining to potential landscaping/screening treatments relative to the zone/property edge conditions. (PL2.B, DC1.C.2, DC1.C.4, DC4.D.3)

RECOMMENDATION – March 8, 2017

PUBLIC COMMENT

SDCI received the following design-related comments during the Notice of Application and Recommendation phase.

- Would like to see 5' planting strip and street trees adjacent to the curb for the benefit of pedestrians, as recommended by SDOT.
- Concerned that proposal does not meet side yard setback requirements for lots abutting residential zones.
- Would like to see trees along the south property line to make a more attractive lot.
- Would like to see 6'+ wide sidewalks with a 5'+ planting strip, similar to projects identified in the EDG Report as part of the local context.
- Concerned that the building is not consistent with the context as presented in the EDG packet, particularly as it relates to vehicular access. Would like the project to consider drop-off/pick-up access, service and delivery access, and construction access. Proposal is not comparable to existing neighborhood apartment buildings.
- Concerned that proposal will concentrate traffic on the alley, and impact pedestrian in the alley.
- Supported multi-family units in this area, as there is adequate access to transit on Aurora and local businesses and safety will benefit from increased pedestrian traffic.
- Would like to see additional traffic calming measures constructed in the alley.
- Concerned that the proposal does not include provisions for move-in/move-out, delivery, and maintenance vehicle access, and would to like see mitigation of resulting impacts to alley.
- Concerned that the proposed building mass encroaches into an existing utility easement.

PRIORITIES & RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and reviewing public comment, SDCI Staff provided the following siting and design guidance.

- 1. Zone Transition & Landscaping:** Staff appreciated that the mass and floor plan was mirrored in response to EDG phase guidance, locating the elevator adjacent to the eastern property line, as it reduces the height, bulk and scale of the structure as experienced from the single family zone to the west.
 - a. Staff expressed concerns regarding the west-facing windows and the impact on the privacy of adjacent homes. Staff supported the raised window sill height, as proposed, as it discourages downward sightlines. Staff, however, encouraged further exploration of additional secondary architectural elements that may increase respect for adjacent sites, such as vertical sunshades. (CS2-D-5)
 - b. Staff supported the location of “Stair A” and the elevator along the eastern property line. Staff, however, would like the height of the western stair penthouses to be the minimum necessary height, as allowable by code, and angled away from the western property line so as to further reduce the bulk of the building as perceived from the single family zone. Staff recommended this as a condition. (CS2-D-3, CS2-II-i)
 - c. Staff supported the proposed upper-level 15-foot setback and landscape buffer along the western property line as it provides an appropriate zone transition and minimizes disruption to the privacy of residents in the adjacent buildings. Staff, however, agreed with public comment and was concerned about the lack of trees and seasonal variability as there are only two deciduous trees proposed. Staff directed the applicant to incorporate a denser and more varied vertical landscape buffer that will provide

- privacy screening year-round, such as a mix of evergreen and columnar deciduous trees, and recommended this as a condition. (CS2-D-5, DC4-D-1, DC4-D-3)
- d. Staff acknowledged public comments regarding right-of-way improvements, and noted that it appears the development proposal has since been revised to include the recommended sidewalk and planting strip improvements. (DC4-D)
 - e. While fences are evident in project renderings, Staff noted it is unclear from the landscape plan and ground-level floor plan whether fences are proposed along the east and west property lines. The proposed development should include wooden horizontal slate fences along the entire length of shared property lines, as it promotes respect for adjacent sites. (CS2-D-5)
 - f. Staff supported the proposed trash enclosure as it is fully enclosed, and better integrated into the overall building design. (DC1-C-4)
- 2. Entries:** Staff appreciated the response to earlier guidance regarding the primary residential entry, and the high level of detail provided in illustrating the entry experience.
- a. Staff supported the entry sequence and composition, including the raised concrete planters with the incorporated wooden bench and signage. Staff, however, noted that it is difficult to identify the doorway within the storefront window system and encouraged further consideration of design elements that will create an identifiable entry, suggestions included providing differently textured pavers directly adjacent to the doorway or carrying down the cedar material from the soffit to highlight entry. Staff recommended this as a condition. (PL3-A-1, PL3-A-4, PL3-I-ii)
 - b. Staff supported the west-facing window into the leasing office to the right of the primary residential entry, as proposed in the ground level floor plan and west elevation, but noted that this window was not included in the perspective renderings of the entry on Recommendation packet pages 22 and 23. This window should be included in the final design as it maintains eyes on the entry and is part of the ensemble of entry elements. (PL3-A-1, PL3-A-4)
- 3. Materials:** Staff discussed material application and composition, and appreciated the level of detail provided and response to earlier guidance.
- a. Staff supported the change in depth between the brick and white cementitious panel as it creates visual interest and an attractive façade. In project renderings, the white vinyl windows and white panels appear to be recessed deeper than the brick façade surface. Staff encouraged the applicant to establish a similar change in depth between the white cementitious panels and windows where located on the portions of the façade clad in cool blue cementitious panel, to maintain a consistent material expression on all facades. (DC2-B-1, DC4-A-1)
 - b. Staff supported the proposed material palette, including the wood-textured gray cementitious lap-siding and the randomized pattern of the cool blue cementitious panel. Staff would like any visible joints in the white cementitious panel to be intentionally organized and visually minimized. (DC4-A-1)

DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood guidelines identified as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the [Design Review website](#).

CONTEXT & SITE

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-C Relationship to the Block

CS2-C-2. Mid-Block Sites: Look to the uses and scales of adjacent buildings for clues about how to design a mid-block building. Continue a strong street-edge and respond to datum lines of adjacent buildings at the first three floors.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

Greenlake Supplemental Guidance:

CS2-II Height, Bulk and Scale Compatibility

CS2-II-i. Zone Edges: In such cases where a property with more-intensive zoning is adjacent to a property that contains such split zoning, the following design techniques are encouraged to improve the transition to the split-zoned lot:

- a. Building setbacks similar to those specified in the Land Use Code for zone edges where a proposed development project within a more intensive zone abuts a lower intensive zone.
- b. Techniques specified in the Seattle Design Guidelines regarding height, bulk, and scale; and relationship to adjacent sites.
- c. Along a zone edge without an alley, consider additional methods that help reduce the potential 'looming' effect of a much larger structure in proximity to smaller, existing buildings.
- d. One possibility is allowing the proposed structure's ground floor to be built to the property line and significantly stepping back the upper levels from the adjacent building (see sketch in the left column). The building wall at the property line should be designed in a manner sympathetic to the existing structure(s), particularly regarding privacy and aesthetic issues.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-1. Fitting Old and New Together: Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

CS3-A-3. Established Neighborhoods: In existing neighborhoods with a well-defined architectural character, site and design new structures to complement or be compatible with the architectural style and siting patterns of neighborhood buildings.

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

Greenlake Supplemental Guidance:

CS3-I Architectural Context

CS3-I-i. Aurora Avenue North Corridor: Recognize Aurora's 1920-1950 commercial character while making the area more friendly to the pedestrian. Specific architectural cues include creative and playful signage, simple post-WW II and flamboyant architecture.

CS3-I-iv. Facade Articulation of Multi-family Residential Structures: The façade articulation of new multifamily residential buildings (notably in Lowrise zones) should be compatible with the surrounding single-family architectural context. Architectural details similar to those found on single-family homes in Green Lake from the early 1900's can add further interest to a building, and lend buildings a human scale. Consider the following features:

- a. Pitched roof
- b. Covered front porch
- c. Vertically proportioned windows
- d. Window trim and eave boards
- e. Elements typical of neighborhood house forms

PUBLIC LIFE

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

PL2-C-2. Design Integration: Integrate weather protection, gutters and downspouts into the design of the structure as a whole, and ensure that it also relates well to neighboring buildings in design, coverage, or other features.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

PL3-B-1. Security and Privacy: Provide security and privacy for residential buildings through the use of a buffer or semi-private space between the development and the street or neighboring buildings.

PL3-B-2. Ground-level Residential: Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

Greenlake Supplemental Guidance:

PL3-I Entrances Visible from the Street

PL3-I-ii. Walkways Serving Entrances: In residential projects, except townhouses, it is generally preferable to have one walkway from the street that can serve several building entrances. At least one building entrance, preferably the main one, should be prominently visible from the street. To increase security, it is desirable that other entries also be visible from the street; however, the configuration of existing buildings may preclude this.

PL3-I-iii. Courtyard Entries: When a courtyard is proposed for a residential project, the courtyard should have at least one entry from the street. Units facing the courtyard should have a porch, stoop, deck or seating area associated with the dwelling unit.

PL3-I-iv. Fences: In residential projects, front yard fences over 4 feet in height that reduce visual access and security should be avoided.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-B Vehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC1-C Parking and Service Uses

DC1-C-2. Visual Impacts: Reduce the visual impacts of parking lots, parking structures, entrances, and related signs and equipment as much as possible.

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

Greenlake Supplemental Guidance:

DC2-III Visual Impacts of Parking Structures

DC2-III-ii. Access to Street Network: There should be careful consideration of the surrounding street system when locating auto access. When the choice is between an arterial and a lower volume, residential street, access should be placed on the arterial.

DC2-III-iii. Residential Area Consideration: Structured parking façades facing the street and residential areas should be designed and treated to minimize impacts, including sound transmission from inside the parking structure.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building façades—including alleys and visible roofs—considering the composition and architectural expression of the building as a whole. Ensure that all façades are attractive and well-proportioned.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage façades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to façades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC2-C-3. Fit With Neighboring Buildings: Use design elements to achieve a successful fit between a building and its neighbors.

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building façades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

DC3-B Open Space Uses and Activities

DC3-B-4. Multifamily Open Space: Design common and private open spaces in multifamily projects for use by all residents to encourage physical activity and social interaction.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

DC4-C Lighting

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DC4-D-3. Long Range Planning: Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended.

Greenlake Supplemental Guidance:

DC4-I Exterior Finish Materials

DC4-I-i. Desired Materials: See full Guidelines for list of desired materials.

DC4-I-ii. Relate to Campus/Art Deco Architecture: Sculptural cast stone and decorative tile are particularly appropriate because they relate to campus architecture and Art Deco buildings. Wood and cast stone are appropriate for moldings and trim.

DC4-I-iii. Discouraged Materials: See full Guidelines for list of discouraged materials.

DC4-I-iv. Anodized Metal: Where anodized metal is used for window and door trim, then care should be given to the proportion and breakup of glazing to reinforce the building concept and proportions.

DC4-I-v. Fencing: Fencing adjacent to the sidewalk should be sited and designed in an attractive and pedestrian oriented manner.

DC4-I-vi. Awnings: Awnings made of translucent material may be backlit, but should not overpower neighboring light schemes. Lights, which direct light downward, mounted from the awning frame are acceptable. Lights that shine from the exterior down on the awning are acceptable.

DC4-I-vii. Light Standards: Light standards should be compatible with other site design and building elements.

DEVELOPMENT STANDARD DEPARTURES

SDCI's recommendation on the requested departure will be based on the departure's potential to help the project better meet these design guidelines priorities and achieve a better overall project design than could be achieved without the departure.

At the time of Recommendation, the following departure was requested:

1. **Residential Building Setback (23.47A.014.B.3):** The Code requires a structure containing a residential use with a side or rear lot line that is abutting a lot in a residential zone or across an alley from a lot in a residential zone be setback as follows:
 - a. 15' for portions of structures above 13' in height to a maximum of 40'; and
 - b. for each portion of structure above 40' in in height, an additional setback at the rate of 2' of setback for every 10' by which the height of such portion exceeds 40'.

The applicant proposes to maintain a 15' setback above 13' to a height of 40'2" along the western property line, encroaching within the setback for 2".

Staff generally supported the requested departure as it allows for a well-proportioned horizontal massing, consistent with the overall architectural expression. Staff, however, would like to see a more robust, vertical landscape buffer within the western setback to further soften the zone transition. Please see Recommendation 1-c on page 6 for further discussion. (CS3-A-2, Contemporary Design in context and DC2-B-1 Façade Composition)

DIRECTION

The recommendation summarized above was based on the design review packet submitted February 27, 2017. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, Staff recommended APPROVAL of the subject design and departures with the following conditions:

1. Reduce the height of the western stair penthouse to the minimum necessary height and angle the penthouse roof away from the western property line.
2. Incorporate a taller, denser, and more varied vertical landscape buffer which will provide year-round screening along the western property line.
3. Create a more identifiable primary residential entry.

ANALYSIS & DECISION – ADMINISTRATIVE DESIGN REVIEW

DIRECTOR'S ANALYSIS

The administrative design review process prescribed in Section 23.41.016.D of the Seattle Municipal Code describing the content of the SDCI Director's decision reads in part as follows:

1. A decision on an application for administrative design review shall be made by the Director as part of the overall Master Use Permit decision for the project.

2. The Director's decision shall be based on the extent to which the proposed project meets applicable design guidelines and in consideration of public comments on the proposed project.
3. Projects subject to administrative design review must meet all codes and regulatory requirements applicable to the subject site, except as provided for in Section 23.41.012.

At the conclusion of the Recommendation phase, SDCI staff recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

The proposed project and conditions result in a design that best meets the intent of the Design Guidelines. Following the Recommendation meeting, SDCI staff worked with the applicant to update the submitted plans to incorporate these recommendations.

Applicant response to recommended Design Review conditions:

1. The applicant initially responded to Condition #1 by reducing the height of the penthouse and angling it away from the property line. However, Staff and the applicant agreed that this design did not better meet the Design Guidelines as it was not consistent with the overall architectural expression. The flat roof penthouse was restored and the height minimized to the extent possible, approx. 48-feet 7-inches above average grade. This is an overall reduction of approx. 2-feet 8-inches from the design as shown in the updated Recommendation materials.

Subsequent design changes resulted in the elimination of the eastern stair and elevator penthouse, thereby reducing the perceived height, bulk and scale of the proposed development – better meeting Design Guideline CS2-D. The western stair penthouse remains along the western property line; however, the height of penthouse has been minimized to the extent allowed by Code in response to the recommended condition. This response, combined with the overall massing and rooftop design changes, satisfies the recommended condition for MUP Decision.

2. The applicant responded to Condition #2 by incorporating a taller, denser and more varied landscape buffer that will provide privacy screening year-round, including arbor vitae, additional trees, as well as a 6-foot fence along the west property line. This response is depicted on sheet L0 of the MUP drawings. This response satisfies the recommended condition for the MUP Decision.
3. The applicant responded to Condition #3 by reducing the amount of glazing to draw attention to the doorway and incorporating signage in a location that better relates to the entry, as shown in the perspectives on sheet DR1.3 of the MUP drawings. Staff noted that the address signage that was proposed to be stamped into the concrete planter along the sidewalk, as shown on page 23 of the Recommendation Packet, is not included in the MUP drawings. This stamped signage contributed to an identifiable entry. Staff recommends a condition that a signage plan be included in the construction plans, which depicts the signage located to the west of the primary entry and the stamped concrete address signage. The installation of these items shall be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for new construction, as conditioned at the end of this Decision.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director of SDCI finds that the aforementioned recommendations are consistent with the City of Seattle Design Review Guidelines. The Director accepts the Design Review Staff's recommendations and requires conditions #1 and #2, as listed at the end of this Decision.

DIRECTOR'S DECISION

The Director accepts the Design Review Staff's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the condition summarized at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 31, 2016, and subsequently revised January 19, 2017. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

SHORT TERM IMPACTS

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency

regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, greenhouse gas emissions, construction traffic and parking impacts, as well as mitigation.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

The area includes limited on-street parking, and there is no on-street parking along N 80th St adjacent to the site. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking within the vicinity. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan (CMP) is required. The CMP will be reviewed by the Seattle Department of Transportation (SDOT). The requirements for a CMP include a Haul Route and a Construction Parking Plan. The submittal information and review process for CMPs are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Neighborhood Commercial zones.

If extended construction hours are necessary, the applicant may seek approval from SDCI through a Noise Variance request. However, the applicant's environmental checklist does not indicate that extended hours are anticipated. Therefore, the limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigate noise impacts per SMC 25.05.675.B.

Environmental Health

The site was previously owned by Seattle City Light, and was operated as an electrical substation until 1990. Seattle City Light's Environmental Affairs group conducted several environmental health investigations between 1991 and 2012. The site was remediated in May 2013 and the

cleanup was conducted to MTCA Method A cleanup levels for unrestricted land use. The Washington State Department of Ecology (Ecology) issued a No Further Action Determination in September 2015 (Initial Investigation: No Further Action (NFA) Determination, Ecology, 9/8/15).

In response to public inquiry and comments, Ecology reviewed the earlier documentation associated with the site cleanup and documented their response in email (FW: Seattle City Light Green Lake, Donna Musa, 2/10/17). Ecology indicated a remaining low potential for the contaminant Dieldrin to be located on portions of the site that were not sampled, however, noted that known exceedances of MTCA levels from the samples previously taken were neither high nor wide-spread. The sample locations with known exceedances were removed. Ecology did not recommend further remediation.

Mitigation of contamination and remediation is in the jurisdiction of Ecology, consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. The proposed compliance with Ecology's recommendations are expected to adequately mitigate the adverse environmental impacts from the proposed development and no mitigation for impacts to environmental health is warranted pursuant to SMC 25.05.675.F.

Ecology also indicated a potential for non-friable asbestos conduit running between the former location of the concrete pad and the utility pole, however, noted that grading activities since 2013 may have removed additional conduit. Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation is warranted for asbestos impacts pursuant to SMC 25.05.675.F.

LONG TERM IMPACTS

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; potential blockage of natural features from the Scenic Routes nearby; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas emissions, height bulk and scale, parking, public views, and traffic warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Height, Bulk, and Scale

The proposal has gone through the design review process described in SMC 23.41. Design

review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: “The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.”

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process. Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate height, bulk and scale impacts and additional mitigation is not warranted pursuant to SMC 25.05.675.G.

Parking

The project proposes six on-site parking stalls. Peak parking demand is expected to be greater than this supply, with likely demand ranging between 10 and 15 vehicles. Development of the project would result in an increase in on-street parking demand for up to nine additional vehicles, with the greatest increase in on-street demand occurring during evening and overnight hours.

To determine the impact this additional demand would have on on-street parking utilization, the project’s transportation consultant (William Popp Associates) conducted an on-street parking utilization study. The study calculated existing on-street utilization on streets within a reasonable walking distance from the site (800-feet) during late evening hours (after 10 PM). Over two days, a total of 167 vehicles were counted in 271 legal parking spaces, for a utilization rate of 62%. Assuming that the proposed project generates parking demand for an additional nine vehicles on-street, construction of the project would result in a utilization rate of 65%.

Four additional developments currently under permit review or construction are close enough to the project site to potentially add on-street parking demand within the 800-foot study area. Together, these projects are estimated to increase on-street parking within the study area by 10 vehicles, resulting a cumulative on-street parking utilization rate of 69%. Based on information provided by the Seattle Department of Transportation, no changes are planned to the on-street parking supply. The small amount of additional on-street parking resulting from the project will have only a minor impact on parking availability. No mitigation is warranted pursuant to SMC 25.05.675 M.

The south edge of the site adjacent to the alley will have an area between the parking spaces and the alley that could be used by delivery vehicles. William Popp Associates provided turning templates demonstrating that 30’ trucks or delivery vans could maneuver into and out of this space with little to no obstruction within the alley. Although some delivery vehicles may still block the alley for brief periods of time, such blockage is not expected to result in significant impacts, as vehicles in the alley can travel in either direction to avoid blockages. No mitigation is warranted for parking impacts associated with short term deliveries.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. Due to the topography within the area, which slopes downward along N 80th St from Greenwood Ave N to the west to Green Lake Dr N to the east, there is the opportunity for views of the Cascade Mountains. This segment of N 80th St is designated a SEPA Scenic Route.

Staff traveled the scenic route, visited the site and reviewed the context analyses presented in the Early Design Guidance and Recommendation packets, and considered the proposed development in relation to the designated public views in SMC 25.05.675.P. Staff noted that due to increased topography further east of the site, views of the Cascade Mountains were not observed from N 80th St on the block adjacent to the site. Furthermore, existing development and mature vegetation along N 80th St narrow the cone of vision and partially-obscure views from N 80th St upslope and further west of the site. The proposed development is setback approx. 18-feet from the curb, thereby reducing the impact on eastern views of the Cascade Mountains from N 80th St that may be observed further west and up-slope from the site. No mitigation is warranted under SMC 25.05.675.P.

Transportation

The project is expected to add a small amount of additional traffic to surrounding roadways. Trip generation was calculated using rates from the Institute of Transportation Engineers' *Trip Generation Report* (9th Edition). Based on these rates, the project is expected to generate about 100 daily vehicle trips, with about five trips during the AM peak hour and four trips in the PM peak hour. Data from the *Trip Generation Report* is primarily drawn from suburban developments, and may overstate trips generated by projects in urban areas, where more transportation options typically are available. Therefore, actual trip generation by this project may be somewhat lower. However, given the small size of the project, the traffic volumes estimated using the higher rates are relatively modest, and are not expected to result in adverse transportation impacts.

The project proposes six on-site parking stalls, which will be accessed through the alley on the south side of the site. This alley connects to Linden Avenue N to the west and to Aurora Avenue N to the east. The alley connection to Aurora is limited to right-in/right-out movements, due to physical constraints to left-turning movements on Aurora.

A building on the southwest corner of the alley intersection with Aurora Avenue N limits visibility of vehicles in the alley to pedestrians on the sidewalk south of the alley. A Metro transit bus stop is located on the west side of Aurora immediately north of the alley. Given the limited sight lines and the potential for high volumes of pedestrians along this segment of Aurora, pedestrian counts, vehicle counts, and accident data were gathered for both AM and PM peak hours.

An accident report covering a four-and-a-half year period (January 2013 to mid-2017) identified no vehicle accidents with pedestrians or bicycles on Aurora Avenue N between N 80th Street and N 79th Street. Morning and afternoon counts determined that AM pedestrian and vehicle volumes were slightly higher than those in the PM, with a total of 23 pedestrians either walking in the alley or on the sidewalk crossing the alley during the busiest morning hour. During this hour, a total of four vehicles either entered the alley from Aurora or exited the alley to Aurora. The proposed project is expected to add about three vehicles to these movements between the

alley and Aurora, and may also result in slightly more pedestrian trips in the alley and along the Aurora sidewalk. However, pedestrian and vehicle volumes at this location would continue to be low, and are not expected to result in any noticeable safety impacts. No mitigation for transportation impacts is warranted pursuant to SMC 25.05.675 R.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – DESIGN REVIEW

Prior to Issuance of a Building Permit

1. Include a signage plan within the Building Permit drawings, which depicts the signage located to the west of the primary entry, as shown on sheet DR1.3 of the MUP drawings, and the stamped concrete address signage, as shown on page 23 of the Recommendation Packet.

For the Life of the Project

2. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner.

CONDITIONS – SEPA

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

3. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Abby Weber, Land Use Planner
Seattle Department of Construction and Inspections

Date: December 26, 2017

AW:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the three-year life of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by SDCI within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a two-year life. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.